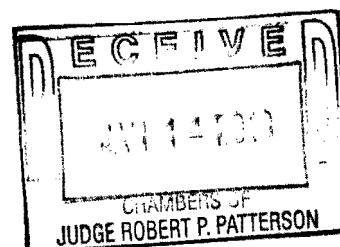


FREDERICK H. COHN

ATTORNEY AT LAW
 111 BROADWAY
 SUITE 1805
 NEW YORK, NY 10006
 212-768-1110
 FAX 212-338-9088
 fcohn@frederickhcohn.com

**MEMO ENDORSED**

January 3, 2013

BY FACSIMILE (212) 805-7917

Hon. Robert P. Patterson Jr.
 Daniel Patrick Moynihan USC
 Southern District of NY
 500 Pearl Street
 New York, NY 10007-1312

USDC SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #: _____
 DATE FILED: 1/15/13

Re: United States v. Vadim Chervin
Docket No.: 10 Cr. 918 (RPP)

Dear Judge Patterson:

As a result of our last filings the government asked me to consent to an adjournment so that they could investigate the claims that are being made. As it is their right, I consented and the matter was adjourned by you to February 14, 2013.

The government also requested that I take a subpoena for Larisa Chervin (Mr. Chervin's mother). After checking to see if I had permission, I accepted the subpoena. A copy is attached.

Mrs. Chervin has indicated that she is uncomfortable and wishes to have a lawyer. I have sent her a CJA 23 so that you may make a determination as to her eligibility. It has been notarized and is attached. If you do so determine, then I ask that you appoint counsel for her. I will advise counsel to get in touch with Jason Hernandez, AUSA.

There may be other issues attendant to this investigation but I will take them up directly with the government. I am hopeful we can work them out.

Respectfully yours,

Frederick H. Cohn

*application denied
 I don't think James Chervin qualifies
 for CJA & cannot file this brief
 limited purpose.
 1/15/13 RPP*

encl.
 cc: Jason Hernandez/Sara Lai, AUSAs (by email)

*See attached typewritten
 Memo Endorsement*

1/15/13

RPP

Court Subpoena

United States District Court
SOUTHERN DISTRICT OF NEW YORK

TO: Larisa Chervin

GREETINGS:

WE COMMAND YOU that all and singular business and excuses being laid aside, you appear and attend before the United States District Court for the Southern District of New York, 500 Pearl Street, in the Borough of Manhattan, City of New York, New York, in the Southern District of New York, at the following date, time and place:

Appearance Date: January 14, 2013 Appearance Time: 11:30 am
Appearance Place: U.S. Courthouse, 500 Pearl Street, New York, New York
to testify and give evidence in the following matter:

United States v. Vadim Chervin and William Gibbs. S7 10 Cr. 918 (RPP)

and not to depart the Court without leave thereof, or of the United States Attorney, and that you bring with you and produce at the above time and place the following:

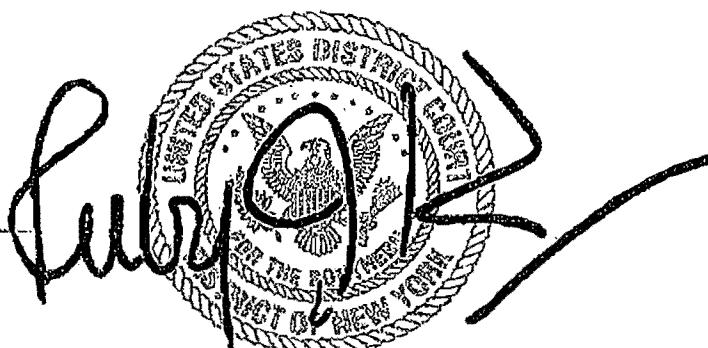
PERSONAL APPEARANCE IS REQUIRED

Failure to attend and produce any items hereby demanded will constitute contempt of court and will subject you to civil sanctions and criminal penalties, in addition to other penalties of the Law.

DATED: New York, New York
January 10, 2013

Preet Bharara
PREET BHARARA
United States Attorney for the
Southern District of New York


Jason Hernandez
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Telephone: (212) 637-1024



IN THE UNITED STATES: <input checked="" type="checkbox"/> DISTRICT COURT <input type="checkbox"/> COURT OF APPEALS <input type="checkbox"/> OTHER	LOCATION NUMBER:
IN THE STATE OF: <input type="checkbox"/> ALASKA <input type="checkbox"/> ARKANSAS <input type="checkbox"/> CALIFORNIA <input type="checkbox"/> COLORADO <input type="checkbox"/> CONNECTICUT <input type="checkbox"/> DELAWARE <input type="checkbox"/> FLORIDA <input type="checkbox"/> GEORGIA <input type="checkbox"/> HAWAII <input type="checkbox"/> IDAHO <input type="checkbox"/> ILLINOIS <input type="checkbox"/> INDIANA <input type="checkbox"/> KANSAS <input type="checkbox"/> KENTUCKY <input type="checkbox"/> LOUISIANA <input type="checkbox"/> MAINE <input type="checkbox"/> MASSACHUSETTS <input type="checkbox"/> MARYLAND <input type="checkbox"/> MICHIGAN <input type="checkbox"/> MINNESOTA <input type="checkbox"/> MISSISSIPPI <input type="checkbox"/> MISSOURI <input type="checkbox"/> NEBRASKA <input type="checkbox"/> NEVADA <input type="checkbox"/> NEW HAMPSHIRE <input type="checkbox"/> NEW JERSEY <input type="checkbox"/> NEW MEXICO <input type="checkbox"/> NEW YORK <input type="checkbox"/> NORTH CAROLINA <input type="checkbox"/> NORTH DAKOTA <input type="checkbox"/> OHIO <input type="checkbox"/> OKLAHOMA <input type="checkbox"/> OREGON <input type="checkbox"/> PENNSYLVANIA <input type="checkbox"/> RHODE ISLAND <input type="checkbox"/> SOUTH CAROLINA <input type="checkbox"/> SOUTH DAKOTA <input type="checkbox"/> TENNESSEE <input type="checkbox"/> TEXAS <input type="checkbox"/> VERMONT <input type="checkbox"/> VIRGINIA <input type="checkbox"/> WASHINGTON <input type="checkbox"/> WISCONSIN <input type="checkbox"/> WYOMING	

IN THE UNITED STATES: <input checked="" type="checkbox"/> DISTRICT COURT <input type="checkbox"/> COURT OF APPEALS <input type="checkbox"/> OTHER	LOCATION NUMBER:
IN THE STATE OF: <input type="checkbox"/> ALASKA <input type="checkbox"/> ARKANSAS <input type="checkbox"/> CALIFORNIA <input type="checkbox"/> COLORADO <input type="checkbox"/> CONNECTICUT <input type="checkbox"/> DELAWARE <input type="checkbox"/> FLORIDA <input type="checkbox"/> GEORGIA <input type="checkbox"/> HAWAII <input type="checkbox"/> IDAHO <input type="checkbox"/> ILLINOIS <input type="checkbox"/> INDIANA <input type="checkbox"/> KANSAS <input type="checkbox"/> KENTUCKY <input type="checkbox"/> LOUISIANA <input type="checkbox"/> MAINE <input type="checkbox"/> MASSACHUSETTS <input type="checkbox"/> MARYLAND <input type="checkbox"/> MICHIGAN <input type="checkbox"/> MINNESOTA <input type="checkbox"/> MISSISSIPPI <input type="checkbox"/> MISSOURI <input type="checkbox"/> NEBRASKA <input type="checkbox"/> NEVADA <input type="checkbox"/> NEW HAMPSHIRE <input type="checkbox"/> NEW JERSEY <input type="checkbox"/> NEW MEXICO <input type="checkbox"/> NEW YORK <input type="checkbox"/> NORTH CAROLINA <input type="checkbox"/> NORTH DAKOTA <input type="checkbox"/> OHIO <input type="checkbox"/> OKLAHOMA <input type="checkbox"/> OREGON <input type="checkbox"/> PENNSYLVANIA <input type="checkbox"/> RHODE ISLAND <input type="checkbox"/> SOUTH CAROLINA <input type="checkbox"/> SOUTH DAKOTA <input type="checkbox"/> TENNESSEE <input type="checkbox"/> TEXAS <input type="checkbox"/> VERMONT <input type="checkbox"/> VIRGINIA <input type="checkbox"/> WASHINGTON <input type="checkbox"/> WISCONSIN <input type="checkbox"/> WYOMING	

PERSON REPRESENTED (check one, all apply)	<input checked="" type="checkbox"/> Defendant - Adult <input type="checkbox"/> Defendant - Juvenile <input type="checkbox"/> Appellant <input type="checkbox"/> 被害人 <input type="checkbox"/> Supervised Release Violator <input type="checkbox"/> Habitual Offender <input type="checkbox"/> 23 Felonies <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Mental Witness <input type="checkbox"/> Other (specify)	DOC# (Numbers)
CHARGE/OFFENSES (check all applicable, if none, check none)	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor	DOC# (Name)
CHARGE/OFFENSES (check all applicable, if none, check none)	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor	DOC# (Court of Appeals)

STATEMENT OF CREDIBILITY AND CONCERN FOR DEFENDANT'S TESTIMONY		
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EMPLOYMENT	Are you now employed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Self-Employed	Name and address of employer: AKIVA OFFICING INC - 4321 24ST, LIC, NY 11101	If YES, how much do you earn per month? \$ 4,400	If NO, give month and year of last employment	How much did you earn per month?	
	If YES, how much does your spouse or co-dependent earn per month? \$ 1,147					
INCOME & ASSETS	Is married or your spouse co-dependent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	AS CO-DEPENDENT AMOUNT (e.g. EACH MONTH) \$ 1,147	If YES, how much does your spouse or co-dependent earn per month? \$ 1,147	If you are a minor, who are your parents?		
	RECEIVED			SOURCES		
OTHER INCOME	If YES, give the amount received and identify the source: \$ 0					
CASH	Do you have any cash on hand or money in savings or checking accounts? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If YES, total amount \$ 102				
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	VALUE \$ 823,000	DESCRIPTION HOUSE 4 BR 3 BA LAKE DRIVE NEW BRUNSWICK NJ 08811			
	IF YES, give value and description for each \$ 75,000					

OBLIGATIONS DEBTS	DEPENDENTS	MARITAL STATUS		List persons you actually supported and your relationship to them		
		<input checked="" type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Separated or Divorced	TO ¹ No. of Dependents	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Son <input type="checkbox"/> Daughter <input type="checkbox"/> Other		
DEBTS	MONTHLY BILLS	DESCRIPTION	TOTAL DEBT	MONTHLY PAYMENT		
	Real Estate Taxes Automobile Credit Cards Bank Accounts Other	\$ 2000 EX \$ 2000 M \$ 2000 L \$ 2000 C \$ 2000 S	\$ 5000	\$ 1000		
			\$ 102	\$ 25		
				\$ 100		

I, the undersigned, certify that the foregoing is true and correct.

Judith Dubovian

01-14-13

Date

Day

Month

Year

Year</

Rider

Provide any documents in your possession, custody, and/or control regarding any of the events described in the attached email dated October 11, 2012. This request includes but is not limited to police reports, medical records, reports made to state agencies.

Case: U.S. v. Vadim Chervin
Index No.: 10 Cr. 918 (RPP)

MEMO ENDORSEMENT READS AS FOLLOWS:

Application denied.

I don't think Larisa Chervin qualifies for CJA counsel for this very limited purpose.

So Ordered.

Robert P. Patterson, Jr., U.S.D.J., 1/15/13